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**MAILED**

Dec. 3 1998

In re Application of  
 ALAN N SCHWARTZ et al.  
 Serial No. 08/794,154  
 Filed: February 3, 1997  
 For: GOGGLES WITH PLIABLE AND RESILIENT  
 SEALING PAD

PAT. & T.M. OFFICE  
 BOARD OF PATENT APPEALS  
 AND INTERFERENCES  
 DECISION ON

This in response to the petition filed October 15, 1998,  
 requesting that the above identified application be remanded to  
 the Examiner, for entry of an amendment. The petition is  
 GRANTED.

Applicants request that the application be remanded so the  
 examiner can enter an examiner's amendment, canceling claims 13,  
 14, 48 and 49. There is, however, no indication that the examiner  
 upon receipt of the application, will enter an examiner's  
 amendment. However, on November 30, 1998, Mr. Dale M. Shaw, a  
 Program and Resource Administrator of the Board of Patent Appeals  
 and Interferences, consulted with Examiner Nerbun, and it was  
 determined that it would be in the best interest of the  
 application to remand the file back to the examiner.  
 Accordingly, the petition for remand is GRANTED.

PETITION GRANTED.

Bruce H. Stoner, Jr.  
 Chief Administrative Patent Judge  
 Board of Patent Appeals and Interference  
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